



Attorney Docket # 4910-8

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Lie-Fen SHYUR et al.

Serial No.: 09/654,652

Filed: September 05, 2000

For: A Truncated Form of Fibrobacter Succinogenes
1,3-1,4-Beta-D-Glucanase With Improved
Enzymatic Activity And Thermo-Tolerance

Examiner: Y. Pak
Group Art: 1652

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on
November 13, 2001
(Date of Deposit)
Kent H. Cheng
Name of applicant, assignee or Registered Representative
Kent H. Cheng
Signature
November 13, 2001
Date of Signature

Assistant Commissioner for Patents
Washington, DC 20231

RESPONSE TO RESTRICTION REQUIREMENT

SIR:

This responds to the Office Action dated October 10, 2001.

Claims 1-19 are pending in the present application. The Examiner has entered a six-way restriction requirement. Applicants elect Group 1, claim 1 (partially) and claims 2-5, to prosecute in the present application. The election is made with traverse.

Contrary to the Examiner's statement in the Office Action, the glucanases in Group I to V do not have different substrate specificities, catalytic activity, functions, and utilities. In terms of protein structures, the total amino acid sequence size is different among the glucanases in Groups I to III and their protein structure may have very minor differences in the C-terminal. However, their enzymatic function and stability are very similar based on Applicants' data. No differences could be detected for glucanase enzymes with a total amino acid sequence ranging from 246 to 267. Therefore, for example, claim 6, which is directed to glucanase with 248 amino acid residues, and claim 7, which is directed to the enzyme with 267 amino acid residues, are not patentably distinct.

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Serial No.: 09/654,652

Accordingly, it is respectfully submitted that the six-way restriction requirement is unwarranted and should be withdrawn.

It is believed that no fees or charges are required at this time in connection with the present application; however, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,
COHEN, PONTANI, LIEBERMAN & PAVANE

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Dated: November 13, 2001